

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior revisions, and listings, of claims in the application.

Listing of Claims:

1. (Original) A breath monitoring apparatus comprising a housing on which is mounted:
 - a) a means to measure the volume of an inhaled breath of the user; and
 - b) a means to measure the gas content of an exhaled breath of a user.
2. (Original) A breath monitoring apparatus as claimed in Claim 1 wherein the breath monitoring apparatus is a calorimeter.
3. (Currently Amended) A breath monitoring apparatus as claimed in Claim 1 ~~or Claim 2~~ wherein the means to measure the volume of an inhaled breath of a user comprises a flow sensor or flow meter.
4. (Original) A breath monitoring apparatus as claimed in Claim 3 wherein the flow sensor comprises a moveable member, moveable by air pressure effected thereupon, and a movement sensor associated with the moveable member.
5. (Original) A breath monitoring apparatus as claimed in Claim 4 wherein the moveable member is a plunger, slideably mounted within the housing of the apparatus.
6. (Currently Amended) A breath monitoring apparatus as claimed in ~~Claims 4 or 5~~ Claim 4 wherein there is a substantially fluid-tight contact between the periphery of the moveable member and the interior surface of the housing.
7. (Currently Amended) A breath monitoring apparatus as claimed in ~~any preceding claim~~ Claim 1 wherein the means to measure the volume of an inhaled breath of a user comprises a mass flow meter.

8. (Currently Amended) A breath monitoring apparatus as claimed in ~~any preceding claim~~ Claim 1 wherein the means to measure the gas content of an exhaled breath of a user comprises an oxygen sensor or a carbon dioxide sensor, arranged to measure the oxygen content or carbon dioxide content of the exhaled breath respectively.

9. (Currently Amended) A breath monitoring apparatus as claimed in ~~any preceding claim~~ Claim 1 comprising an opening in the housing providing for external fluid to be inhaled through the apparatus.

10. (Currently Amended) A breath monitoring apparatus as claimed in ~~any preceding claim~~ Claim 1 further comprising means to calculate the respiratory oxygen consumption of a user.

11. (Original) A method of monitoring breaths, the method comprising the steps of:

- a) calculating the volume of an inhaled breath of a user, and
- b) calculating the gas content of an exhaled breath of the user.

12. (Original) A method as claimed in Claim 11 comprising measuring the volume of a plurality of inhaled breaths of a user and/or measuring the gas content of a plurality of exhaled breaths of a user.

13. (Original) A method as claimed in Claim 11 comprising the steps of:

- a) measuring the volume of an inhaled breath or a plurality of inhaled breaths of a user;
- b) measuring the gas content of an exhaled breath or a plurality of exhaled breaths of a user;
- c) storing said measurements as a reference, and repeating steps (a) and (b) and comparing them to the reference.

Applicant: Austen Peter Bradley
Preliminary Amendment
Attorney Docket No.: 58412.5

14. (Currently Amended) A method of monitoring breaths ~~of any one of Claims 11 to 13~~
as claimed in Claim 11 using a breath monitoring apparatus ~~of any one of Claims 1 to 10~~ as
claimed in Claim 1.

15. (New) A method of monitoring breaths as claimed in Claim 11 using a breath
monitoring apparatus as claimed in Claim 6.

16. (New) A method of monitoring breaths as claimed in Claim 11 using a breath
monitoring apparatus as claimed in Claim 8.

17. (New) A method of monitoring breaths as claimed in Claim 11 using a breath
monitoring apparatus as claimed in Claim 9.

18. (New) A method of monitoring breaths as claimed in Claim 11 using a breath
monitoring apparatus as claimed in Claim 10.